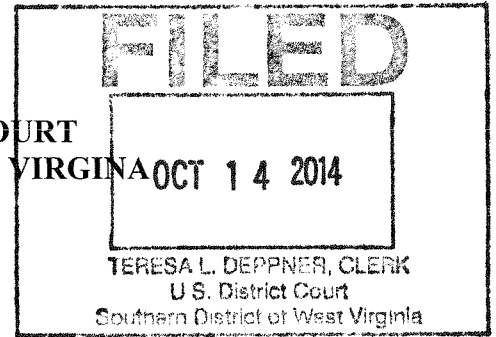


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON



KEITH DOUGLAS BLAKE

Plaintiff,

v.

Civil Action No.: 2:14-cv-26831

MASTEC SERVICES COMPANY, INC.;
CHAMPION CORPORATION,
a corporation; a/k/a OK CHAMPION;

Defendants.

MASTEC SERVICES COMPANY, INC.'S NOTICE OF REMOVAL

COMES NOW Defendant, Mastec Services Company, Inc., by and through its undersigned counsel, and gives notice that on the 14th day of October, 2014, the Defendant did remove a civil action pending in the Circuit Court of Kanawha County, West Virginia, styled "Keith Douglas Blake v. Mastec Services Company, Inc., Civil Action No.: 13-C-1934" to the United States District Court for the Southern District of West Virginia at Charleston. In accordance with the provisions of 28 U.S.C §1446 (2013), the Defendant states as follows:

1. That Plaintiff filed the above styled civil action in the Circuit Court of Kanawha County, West Virginia on or about October 15, 2013. *See* Summons and Complaint attached hereto as "**Exhibit A**".
2. That Plaintiff stated that the incident giving rise to the alleged damages sustained occurred in Kanawha County, West Virginia.
3. Plaintiff is a resident of the State of West Virginia.
4. Defendant Mastec Services Company is a Florida corporation.

5. Defendant Champion Corporation is an Indiana Corporation that has not properly been served and has not made an appearance.
6. This Notice of Removal is being filed within thirty (30) days after the receipt by Defendant of a document, which, for the first time, raises claims removable to the United States District Court for the Southern District of West Virginia. *See* 28 U.S.C. § 1446(b).
7. Although Plaintiff makes no specific monetary demand, the amount in controversy exceeds \$75,000.00 exclusive of interest and costs as Plaintiff alleges permanent injury; a diminution in capacity to earn; in excess of \$62,000 in medical specials; and other non-economic damages such as pain and suffering.
8. Removal of this matter is predicated upon 28 U.S.C. §1332 (2013) as the parties are completely diverse of their primary interests in this suit and the amount in controversy exceeds \$75,000.00 exclusive of interest and costs.
9. A copy of the Docket Sheet for Civil Action No. 13-C-1934 in the Circuit Court of Kanawha County, West Virginia, is attached hereto as “**Exhibit B.**”
10. A true and correct copy of this “Notice of Removal” will be filed promptly with the Circuit Clerk of Kanawha County, West Virginia, and written notice thereof given to counsel for Plaintiff in accordance with 28 U.S.C. § 1446(b). The “Notice to Plaintiff and Circuit Court of Filing of Notice for Removal” is attached hereto as “**Exhibit C.**”
11. The removal of the above-captioned civil action from the Circuit Court of Kanawha County to the United States District Court of the Southern District of West Virginia is proper.

WHEREFORE, Defendant prays that the service and the filing in this Honorable Court of this Notice of Removal, and also the service upon the Plaintiff of the "Notice of Service of Notice of Removal" (which includes an attached copy of this Notice of Removal) shall effect the removal of this action from the Circuit Court of Kanawha County, West Virginia, to the United States District Court for the Southern District of West Virginia, and said State Court may proceed no further with this action.

Dated: October 14, 2014.

Respectfully submitted,

/s/ George J. Joseph

George J. Joseph
Michael P. Markins
Mannion & Gray Co., L.P.A.
Chase Tower Suite 260
707 Virginia Street E.
Charleston, West Virginia 25301
Ph: 304-513-4242
Fax: 304-513-4243

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

KEITH DOUGLAS BLAKE

Plaintiff,

v.

Civil Action No.: 2:14-26831

**MASTEC SERVICES COMPANY, INC.;
CHAMPION CORPORATION,
a corporation; a/k/a OK CHAMPION;**

Defendants.

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of October 2014, I filed the foregoing "Mastec Services Company, Inc.'s Notice of Removal" and Notice of Filing of Notice of Removal with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to the following:

Edwin H. Pancake, Esq.
Maroney, Williams, Weaver & Pancake, PLLC
608 Virginia Street East
Charleston, WV 25301
epancake@mwwplaw.com

/s/ George J. Joseph
George J. Joseph (WVSB #4967)
Michael P. Markins (WVSB #8825)
Mannion & Gray Co., L.P.A.
Chase Tower Suite 260
707 Virginia Street E.
Charleston, West Virginia 25301
Ph: 304-513-4242
Fax: 304-513-4243